

PHILLIP A. TALBERT
United States Attorney
EMILY G. SAUVAGEAU
MATTHEW DE MOURA
Assistant United States Attorneys
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANUEL TREJO

Defendant.

CASE NO. 2:24-CR-69-TLN

STIPULATION AND JOINT REQUEST FOR
PROTECTIVE ORDER; [PROPOSED]
PROTECTIVE ORDER

I. STIPULATION

1. Plaintiff United States of America, by and through its counsel of record, and defendant Manuel Trejo, by and through counsel of record Assistant Federal Defender Hootan Baigmohammadi, for the reasons set forth below, hereby stipulate, agree, and request that the Court enter a Protective Order in this case restricting the use and dissemination of certain materials that could identify undercover agents and/or confidential sources, and/or that contain personal identifying information (“PII”) and other confidential information of real persons.

2. This Court may enter protective orders pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure, Local Rule 141.1, and its general supervisory authority.

3. On May 8, 2024, a grand jury returned an indictment charging Defendant with conspiracy to distribute and to possess with intent to distribute at least 500 grams of a mixture and substance

1 containing a detectable amount of methamphetamine and at least 400 grams of a mixture and substance
2 containing a detectable amount of fentanyl, in violation of 21 U.S.C. §§ 846, 841(a)(1) (Count One);
3 distribution of at least 400 grams of a mixture and substance containing a detectable amount of fentanyl,
4 in violation of 21 U.S.C. § 841(a)(1) (Count Two); and distribution of at least 500 grams of a mixture
5 and substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. §
6 841(a)(1) (Count Three).

7 4. As part of its investigation in the above-captioned case, the government is in the
8 possession of documents and other materials relating to the charges against the Defendant, and seeks to
9 provide those materials to counsel for the Defendant. The government seeks to do so pursuant to its
10 discovery obligations, although some of the materials may exceed the scope of the government's
11 discovery obligations and will be produced to promote a prompt and just resolution of the case.

12 5. The government intends to produce to Defense Counsel: (1) audio recordings, video
13 recordings, photographs, investigative reports and/or other documents that could identify law
14 enforcement undercover agents and/or confidential sources; and/or (2) materials containing PII and other
15 confidential information of real persons. These real persons are third parties, co-conspirators, and/or
16 witnesses to this case. This discovery will be considered "Protected Material" as described in this
17 stipulation and order, as will any other discovery marked as Protected Material.

18 6. The purpose of this stipulation and order is to establish the procedures that must be
19 followed by Defense Counsel, any designated employees, and any other individual who receives access
20 to any Protected Material in this case and the information therein.

21 7. The Government shall produce the aforementioned Protected Material to Defense
22 Counsel, designating the discovery with the bates prefix, "TREJO_ETAL_PM_." This discovery, and
23 any subsequent material discovered by the Government to Defense Counsel using the bates-prefix, shall
24 be considered Protected Material.

25 8. All Protected Material in this case is now and will forever remain the property of the
26 Government. It is entrusted to Defense Counsel only for purposes of representing his Defendant during
27 the pendency of this case.

1 9. Defense Counsel shall not give any Protected Material to any person other than Defense
2 Counsel's staff assisting in preparation of the present case. The term "staff" shall explicitly include only
3 attorneys, paralegals, legal assistants, retained experts, and investigators assisting Defense Counsel in
4 the present matter. The term excludes any person involved in any case in which discovery concerning
5 the Defendant is produced and any other person other than those specifically authorized to see Protected
6 Material under this paragraph.

7 10. Any person receiving access to the Protected Material from Defense Counsel shall be
8 bound by the same obligations as Defense Counsel and, further, may not give any Protected Material to
9 anyone.

10 11. No members of the Defendant's family, friends of the Defendant, personal or
11 professional associates of the Defendant, or any other person affiliated with the Defendant shall be given
12 access to any Protected Material or its contents in any manner, for any reason.

13 12. Defense Counsel may make copies of Protected Material and may take written or typed
14 notes summarizing it in connection with preparation of the case. If necessary to the litigation of the
15 instant matter, Defense Counsel may also have audio or video forms of Protected Material transcribed.
16 All notes, copies, duplicates, summaries, transcripts, or other representations of or concerning the
17 information in the Protected Material comprises "Protected Material" itself, must be affixed with the
18 corresponding bates numbers and the "Protected Material" ledger, and is subject to all terms of this
19 stipulation and order.

20 13. Defense Counsel shall maintain a list of persons to whom any Protected Material is being
21 or has been given. Such persons shall be provided with a copy of the executed version of this stipulation
22 and order, shall sign their full names to a copy, and shall in writing acknowledge that they understand its
23 terms and are bound by it. If Defense Counsel is replaced for any reason, or if new counsel is appointed
24 in any phase of the matter, the new counsel shall not have access to any Protected Material until and
25 unless they sign a copy of this stipulation and order, under the terms described in this paragraph.

26 14. Defense Counsel may use the Protected Material in the defense of Defendant in the
27 instant case in any manner deemed essential to adequately represent him (i.e., in motions that are filed
28 under seal, if necessary; in ex-parte applications as may be needed; and in reproducing and summarizing

Protected Material for use in trial preparation summaries, exhibits and as evidence, as may be needed), consistent with this stipulation and order as it shall be originally prepared and signed.

15. In the event Defense Counsel needs to use any Protected Material in a manner not authorized under this stipulation and order, Defense Counsel is entitled to seek to have this stipulation and order amended by the District Court, after having given notice to counsel for the Government, in a hearing before the District Court, in order to meet the obligations under the Sixth Amendment to the United States Constitution.

16. Defense Counsel and any authorized members of Defense Counsel's staff are authorized to review with Defendant the contents of the Protected Material. Defense Counsel and authorized members of his staff, however, are prohibited from in any way giving the Defendant any Protected Material or any memorialization of the content of any of it, such as: any of the Protected Material itself; copies of any of the Protected Material; copies of excerpts of any of the Protected Material; or summaries of any of the Protected Material. This prohibition will not extend to the Defendant viewing the Protected Material in open court should any of these materials or summaries thereof be used in the litigation of this case.

Respectfully Submitted,

Dated: August 20, 2024

PHILLIP A. TALBERT
United States Attorney

By: /s/ EMILY G. SAUVAGEAU
EMILY G. SAUVAGEAU
Assistant United States Attorney

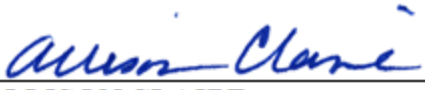
Dated: August 20, 2024

/s/ HOOTAN BAIGMOHAMMADI
HOOTAN BAIGMOHAMMADI
Counsel for Defendant
Manuel Trejo

[PROPOSED] FINDINGS AND ORDER

The Court having read and considered the Stipulation and Joint Request for a Protective Order, which this Court incorporates by reference into this Order in full, hereby finds that GOOD CAUSE exists to enter the above Order.

IT IS SO FOUND AND ORDERED this 20th day of August, 2024


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE